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DOCKET NO.: 7732-020-27 DIV

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Re: Serial No.: 09/665,077
Applicant(s): Michael CLIMO et al.
Filing Date: September 19, 2000
For: COMPOSITIONS AND METHODS FOR TREATMENT OF
STAPHYLOCOCCAL INFECTION WHILE SUPPRESSING FORMATION
OF ANTIBIOTIC-RESISTANT STRAINS
Group Art Unit: 1631
Examiner:

SIR:

Attached hereto for filing are the following papers:

INFORMATION DISCLOSURE STATEMENT
PTO-1449
LIST OF RELATED CASES
CITED DOCUMENTS (31)

Our check in the amount of \$ -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER MARBURY RUDNICK & WOLFE LLP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION: Michael CLIMO et al.

GROUP ART UNIT: 1631

SERIAL NUMBER: 09/665,077

EXAMINER:

FILED: September 19, 2000

FOR: COMPOSITIONS AND METHODS FOR TREATMENT OF STAPHYLOCOCCAL INFECTION WHILE SUPPRESSING FORMATION OF ANTIBIOTIC-RESISTANT STRAINS

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97

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Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

Applicant(s) wish(es) to disclose the following information.

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REFERENCES

- Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. Copies of the listed documents are attached, where required, as are either statements of relevancy or any readily available full or partial English translations of any non-English-language documents.

RELATED CASES

- Attached is a list of Applicant's(s') pending applications and issued patents which may be related to the present application. Copies of the documents, where required, are attached along with Form PTO-1449.

CERTIFICATION

The undersigned certifies that

- each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application for the first time (to the knowledge of the undersigned, having made reasonable inquiry) not more than three months prior to the filing of this statement.
- no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

BASIS FOR CONSIDERATION

This Information Disclosure Statement is filed:

- without fee and within three months of the filing date of the application.
- without fee and within three months of the date of entry of the U.S. national stage.
- without fee and before the mailing date of a first Office Action on the merits (to the knowledge of the undersigned).
- without fee and with the appropriate certification above.
- without fee and with a new CPA application.
- without fee and with a Request for Continued Examination.
- with fee and before the mailing date of any of a Final Office Action, Notice of Allowance or an action that otherwise closes prosecution (to the knowledge of the undersigned).
- with fee, appropriate certification above, and before payment of the Issue Fee.

DEPOSIT ACCOUNT

- Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 50-1442.

Respectfully submitted,

PIPER MARBURY RUDNICK & WOLFE LLP

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LIST OF RELATED CASES

Docket Number	Serial or Patent Number	Filing or Issue Date	Status or Patentee
PER CLIENT	07/048,412	May 11, 1987	Abandoned
PER CLIENT	07/188,183	April 28, 1988	Abandoned
PER CLIENT	07/440,092	November 22, 1989	Abandoned
PER CLIENT	07/535,286	June 8, 1990	Abandoned
PER CLIENT	07/935,121	August 20, 1992	Abandoned
PER CLIENT	60/053,470	July 23, 1997	Abandoned
PER CLIENT	5,760,026	June 2, 1998	Blackburn, et al.
PER CLIENT	09/120,030	July 21, 1998	Pending
PER CLIENT	5,858,962	January 12, 1999	Blackburn, et al.
7732-014-27	09/263,776	March 5, 1999	Pending
7732-010-27	6,028,051	February 22, 2000	Climo, et al.
7732-020-27 DIV*	09/665,077	September 19, 2000	Pending

The cases listed on this Notice of Related Cases include cases which may contain information that is material to patentability. The listing of a case on this Notice should not be taken as an indication or admission that any information contained therein is material. Prior art for each case listed on this Notice may have been cited. **The files corresponding to the listed cases, which are available to the Examiner, may not have not been examined to ascertain the materiality of any prior art therein.** Accordingly, the Examiner is requested to review the file for each case listed on this Notice in order to assess the materiality of such prior art.

*Present application; listed for information.